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J. Douglas
3/3/04
Patent
Docket No. 705397.21
(Former 245/282)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/408,112 Confirmation No.: 3606
Applicant : Jeffrey G. Whitelaw
Filing Date : 9/29/1999
Title : "V-Chip" Preset Criteria
Group Art Unit : 2614
Examiner : Michael W. Hoyer
Docket No. : 705397.21
Customer No. : 34313

Commissioner for Patents
Mail Stop No Fee Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

PROPOSED AGENDA FOR TELECONFERENCE ON 2/18/04

Sir:

Per your request, here is a proposed agenda and a brief outline of the Applicant's arguments for the teleconference scheduled for Wednesday, February 18 at 2:00 PM EST.

CERTIFICATE OF FACSIMILE

Facsimile Number: (703) 872-9306 & (703) 308-5359
Date: February 17, 2004

I hereby certify that on the date listed above, this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Commissioner for Patents, Mail Stop No Fee Amendment P.O. Box 1450, Alexandria, VA 22313-1450.

Karen Johnson

Karen Johnson

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AGENDA

The Applicants wish to thank the Examiner for the detailed Office Action of 2/2/04. The Applicants would like to discuss the Action with the Examiner via teleconference in an effort to gain a more thorough understanding of the grounds for the Examiners rejections and to more adequately address the Examiner's rejections in the next Response.

1) Discussion of the 102 rejection under Kim (USPN 5,995,133)

Claim 1 recites "one or more preset specification sets previously stored by the manufacturer in permanent memory . . . each of the one or more preset specification sets . . . comprising a rating and a subject-matter category."

The Applicants fail to understand how Kim discloses this claim language. The Examiner has submitted that Fig. 11 and the corresponding discussion (top of col. 6) within Kim discloses a preset (for instance, TV-PG) that contains a rating (TV-PG) and a subject matter category (V, L, S, D), and that this preset is previously stored by the manufacturer. The Applicants have reviewed Fig. 11 and the corresponding discussion and respectfully assert that Kim only mentions subject matter categories in the context of setting up a macro key. Kim does not disclose the storing of presets by the manufacturer. Because Kim makes no mention of subject matter categories outside of setting up the macro key, it cannot be said that Kim discloses this language of claim 1.

2) Comparison of Kim to the present Application

The present Application discloses, among others, a preset specification set including both a rating and a subject matter category such that a user is not required to navigate through extra menus to select TV and/or motion picture rating codes and content codes. For instance, Fig. 5 of the Application shows a preset menu 160, which allows the user to choose from several presets that include one or more rating and subject matter codes. Thus, because the preset is previously stored in memory by the manufacturer, the user is not required to individually select the desired settings. In comparison, Kim is directed towards setting up a macro key and only discloses subject matter categories in the context of setting up this macro key. In this sole context, Kim

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discusses performing the very operation that the user in the present Application is allowed to avoid – the manual selection of subject matter codes to implement the desired settings in a consumer electronics device. Again, Kim makes no mention of a method that allows the user to avoid this manual selection. Accordingly, the Applicant's respectfully assert that Kim does not disclose all of the elements of claim 1.

The Applicant's look forward to the teleconference with the Examiner on Wednesday, February 18th at 2:00 PM EST. The Examiner is invited to call the undersigned directly at (949) 852-7775.

Respectfully submitted,
ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: February 17, 2004

By: 

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RE Inventor: Jeffrey G. Whitelaw

U.S. Appln. S/N 09/408,112

Filed: 09/29/1999

For: "V-CHIP" PRESET CRITERIA

MESSAGE

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